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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Richard J. Colburn
Attorney for Applicant

Date: 11 August 2004



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AUG 17 2004

OFFICE OF PETITIONS

IFW / DAC

Appl. No.: 09/893,389
Applicant(s): Keeth et al.
Filed: 28 June 2001
Title: 256 MEG DYNAMIC RANDOM ACCESS MEMORY

Art Unit: 2818
Examiner: Michael Thanh Tran

Docket No.: DB000575-014

To: Mail Stop Patent Ext.
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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APPLICATION FOR PATENT TERM ADJUSTMENT
PURSUANT TO 37 CFR §1.705

Applicant respectfully requests reconsideration of the patent term adjustment indicated in the Notice of Allowance (copy enclosed) for the above-identified patent application. Specifically, Applicant respectfully requests that the patent term be extended from zero (0) days to five-hundred-sixty-two (562) days.

The above-identified application was filed on 28 June 2001. A first Office action was mailed by the USPTO on 12 February 2002 (within the 14 month time period set by 37 CFR §1.702(a)(1)). The Office action set a three month period for response. Applicant (using the Certificate of Mailing provisions under 37 CFR §1.8) timely filed a response on 9 May 2002. As evidenced by a copy of the enclosed return receipt post-card, the Response was received by the USPTO on 31 May 2002. Pursuant to 37 CFR §1.8, the USPTO considers the Response as timely filed within the three month statutory period because the Certificate of Mailing provisions were followed, but the date of actual date receipt (i.e., 31 January 2002) is used for all other purposes (e.g., to calculate the delay caused by the USPTO for the applicable patent term adjustment).

As evidenced by the screen print-out from the Patent Application Information Retrieval (PAIR) system, the above-captioned application was designated as "File Marked Lost" by the USPTO on 27 January 2003. In response to a verbal inquiry to Examiner Tran, Applicant was asked to resubmit all documents filed after 12 February 2002 so that the file could be reconstructed. Applicant complied with the Examiner's request and the above-captioned application was designated as "File

08/16/2004 AWONDAF2 00000003 09893389

01 FC:1455

200.00 0P

00553666.DOC

Marked Found" on 7 October 2003. The Applicant was erroneously charged with causing a 624-day delay (as shown on the PAIR screen print-out).

On 21 January 2004, Examiner Tran requested that Applicant's attorneys re-submit the Response and Amendment which was originally mailed on 9 May 2002. Examiner Tran requested that the re-submitted Response and Amendment include the text of all the claims, including those previously cancelled. Applicant (using the Certificate of Mailing provisions under 37 CFR §1.8) responded to Examiner Tran's request by timely resubmitting the Response and Amendment on 23 January 2004. As evidenced by a copy of the enclosed return receipt post-card, the resubmitted Response and Amendment was received by the USPTO on 26 January 2004.

A second Office action was mailed by the USPTO on 14 April 2004. It is respectfully submitted that the amount of delay between 30 September 2002 (i.e., four months after 31 May 2002, the date the first Response was received by the USPTO) and 14 April 2004 (the date the second Office action was mailed) is five-hundred-sixty-two (562) days. It is believed that this delay was caused solely by the USPTO.

The second Office action set a three month period for response. Applicant (using the Certificate of Mailing provisions under 37 CFR §1.8) timely filed a response on 12 July 2004. As evidenced by a copy of the enclosed return receipt post-card, the Response was received by the USPTO on 14 July 2004. A Notice of Allowance was mailed on 5 August 2004.

It is respectfully submitted that the USPTO has caused a delay of five-hundred-sixty-two (562) days (i.e., the time between 30 September 2002 and 14 April 2004). The above-identified application is not subject to a terminal disclaimer and it is believed that the Applicant engaged in reasonable efforts to conclude processing of the above-identified application as set forth in 37 CFR §1.704. Thus, Pursuant to 37 CFR §1.703, the term of the above-identified application should be extended five-hundred-sixty-two (562) days.

A check for \$200 is enclosed to cover the fee imposed by 37 CFR §1.18(e). However, because this Application for Patent Term Adjustment was necessitated by errors on the part of the USPTO, Applicant respectfully requests a refund of the fee. The Commissioner is hereby authorized to charge any underpayment or credit any overpayment to our Deposit Account No. 20-0888.

Respectfully submitted,



Richard J. Coldren
Reg. No. 44,084
Thorp Reed & Armstrong, LLP
One Oxford Centre
301 Grant Street, 14th Floor
Pittsburgh, PA 15219-1425
(412) 394-2442

Dated: 11 August 2004

Attorneys for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

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NOTICE OF ALLOWANCE AND FEE(S) DUE

AUG 17 2004

08/05/2004

Edward L. Pencoske
Thorp Reed & Armstrong, LLP
One Oxford Centre
301 Grant Street, 14th Floor
Pittsburgh, PA 15219-1425

COPY

OFFICE OF PETITIONS
EXAMINER

TRAN, MICHAEL THANH

ART UNIT

PAPER NUMBER

2818

DATE MAILED: 08/05/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,389	06/28/2001	Brent Keeth	DB000575-014	6114

TITLE OF INVENTION: 256 MEG DYNAMIC RANDOM ACCESS MEMORY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	11/05/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHT THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPO PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THE STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (O AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee Transmittal and pay the PUBLICATION FEE (if required) and 1 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issued on or after Dec. 12, 1980 may require payment of maintenance fees. It is the patentee's responsibility to ensure timely payment of maintenance fees when due.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,389	06/28/2001	Brent Keeth	DB000575-014	6114

7590 08/05/2004

Edward L. Pencoske
Thorp Reed & Armstrong, LLP
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Pittsburgh, PA 15219-1425

COPY

EXAMINER	
TRAN, MICHAEL THANH	
ART UNIT	PAPER NUMBER

2818
DATE MAILED 08/05/2004
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AUG 17 2004
OFFICE OF PETITIONS

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.



COPY

The dating stamp of the USPTO on this card will be taken as an indication that the accompanying paper(s) was filed.

Applicant(s): Keeth, et al.
Filing Date: 28 June 2001
Serial No.: 09/893,389
Check: n/a
Atty. Docket No.: DB000575-014



*Transmittal Ltr (x2)
*Response and Amendment
*copy of Third Preliminary Amendment
*copy of Second Preliminary Amendment

JUN 07 2001

By: ELP:RJC:sh Date: 09 May 2002



United States Patent and Trademark Office

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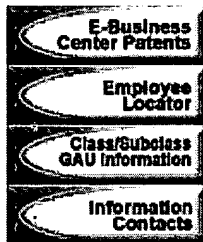
PATENT APPLICATION INFORMATION RETRIEVAL



Printer Friendly Version

Patent Term Adjustment (PTA) for application number: 09/893,389			
			Days
Filing or 371(c) Date:	06-28-2001	USPTO Delay (PTO):	0
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL):	624
Post-Issue Petitions (days):	+0	Total PTA:	0
USPTO Adjustment (days):	+0	Explanation of Calculations	

Other Links



Select Search Option

Continuity Data

Search

File History

Image File Wrapper

Published Documents

Patent Term Adjustment History

Date	Contents Description	PTO (days)	APPL (days)
08-05-2004	Mail Notice of Allowance		
07-29-2004	Issue Revision Completed		
07-29-2004	Notice of Allowance Data Verification Completed		
07-28-2004	Notice of Allowability		
07-27-2004	IFW TSS Processing by Tech Center Complete		
07-27-2004	Date Forwarded to Examiner		
07-14-2004	Response after Non-Final Action		
07-14-2004	Reference capture on IDS		
07-14-2004	Information Disclosure Statement (IDS) Filed		
07-14-2004	Workflow incoming amendment IFW		
04-14-2004	Mail Non-Final Rejection		
04-13-2004	Non-Final Rejection		
05-20-2004	Date Forwarded to Examiner		
01-26-2004	Response after Non-Final Action		624
10-07-2003	File Marked Found		↑
01-27-2003	File Marked Lost		↑
06-28-2001	Additional Application Filing Fees		↑
02-12-2002	Mail Non-Final Rejection		↑
02-08-2002	Non-Final Rejection		
09-07-2001	Preliminary Amendment		
08-27-2001	Mail Miscellaneous Communication to Applicant		
08-27-2001	Miscellaneous Communication to Applicant - No Action Count		
06-28-2001	Preliminary Amendment		
08-14-2001	Case Docketed to Examiner in GAU		
08-08-2001	Application Dispatched from OIPE		
08-07-2001	Correspondence Address Change		

08-06-2001	Correspondence Address Change		
07-12-2001	IFW Scan & PACR Auto Security Review		
06-28-2001	Initial Exam Team nn		

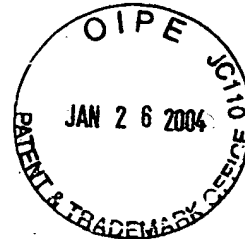
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COPY

FEB 02 2004

The dating stamp of the USPTO on this card will be taken as an indication that the accompanying paper(s) was filed.

Attorney: Edward L. Pencoske, Esq.
Applicant: Keeth et al.
Filing Date: 28 June 2001
Title: 256 MEG DYNAMIC RANDOM ACCESS MEMORY
Serial No.: 09/893,389
Atty Docket No.: DB000575-014



Transmittal Letter x2;
Resubmitted Response and Amendment (w/postcard from the original Response and Amendment);
a copy of the Third Preliminary Amendment (w/postcard); and
a copy of the Second Preliminary Amendment (w/postcard).

ELP/nwf

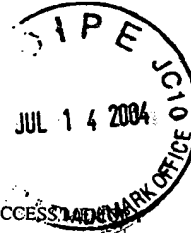
Dated: 23 January 2004

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JUL 19 2004

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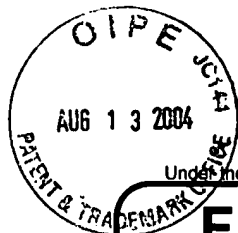
Attorney: Edward L. Pencoske Esq.
Applicant: Keeth, et al.
Serial No.: 09/893,389
Filed: 28 June 2001
Title: 256 MEG DYNAMIC RANDOM ACCESS MEMORY
Atty Docket No.: DB000575-014



Transmittal Letter x 2;
Response and Amendment; and
copy of the Information Disclosure Statement (Form PTO/SB/08A-one page; Form PTO/SB/08B-two pages) initially submitted on 28 June 2001 (w/postcard).

ELP/mam

Dated: 12 July 2004



PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 200

Complete if Known

Application Number	09/893,389
Filing Date	28 June 2001
First Named Inventor	Keeth et al.
Examiner Name	Michael Thanh Tran
Art Unit	2818
Attorney Docket No.	DB000575-014

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit Account Number
Deposit Account Name

20-0888

Thorp Reed & Armstrong

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	=
Independent Claims	-3** =	X	=
Multiple Dependent			=

Large Entity		Small Entity		Fee Description	
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Application for Patent Term Adjustment					200
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$) 200

SUBMITTED BY

Name (Print/Type)	Richard J. Coldren	Registration No. (Attorney/Agent)	44,084	Telephone	412-394-2442
Signature	Richard J. Coldren	Date	11 Aug 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Except for signature, spaces left blank must be completed by typewriter or printed legibly.

By Authority of MCL 333.2813

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11/18/2003
DATE OF APPLICATION
DEC 04 2003
DATE CERTIFICATE FILED

Marriage License

STATE FILE NO.
M-142887
LOCAL FILE NO.

State of Michigan

To any person legally authorized to solemnize marriage in the State of Michigan,
Marriage must be solemnized In the State of Michigan on or before 12/21/2003
DATE

between
ANDREW MARK ANDERSON and REBECCA MERRY OLSON
FULL NAME OF MALE (FIRST, MIDDLE, LAST) FULL NAME OF FEMALE (FIRST, MIDDLE, LAST)
OLSON
LAST NAME BEFORE FIRST MARRIED, IF DIFFERENT
26 08/19/1977 28 02/21/1975
PRESENT AGE DATE OF BIRTH PRESENT AGE DATE OF BIRTH
7291 RIESLING 7291 RIESLING
RESIDENCE NO. STREET RESIDENCE NO. STREET
MATTAWAN MICHIGAN 49071 MATTAWAN MICHIGAN 49071
CITY, STATE, AND ZIP CODE CITY, STATE, AND ZIP CODE
KALAMAZOO 0 KALAMAZOO 0
RESIDENCE COUNTY NUMBER OF TIMES PREVIOUSLY MARRIED RESIDENCE COUNTY NUMBER OF TIMES PREVIOUSLY MARRIED
WATSEKA ILLINOIS DETROIT MICHIGAN
BIRTHPLACE - CITY AND STATE BIRTHPLACE - CITY AND STATE
DANIEL JULIUS ANDERSON ARTHUR WILLIAM OLSON JR
FATHER'S FULL NAME FATHER'S FULL NAME
DIANE MARIE MITCHELL MARY ANN ZIULEK
MOTHER'S FULL NAME BEFORE FIRST MARRIED MOTHER'S FULL NAME BEFORE FIRST MARRIED
ILLINOIS ILLINOIS ILLINOIS MICHIGAN
FATHER'S BIRTHPLACE MOTHER'S BIRTHPLACE FATHER'S BIRTHPLACE MOTHER'S BIRTHPLACE

An affidavit has been filed in this office by which it appears that said statements are true. This marriage license authorizes the marriage of the parties named above within the State of Michigan by any person authorized to perform a marriage ceremony under the laws of the State of Michigan.

In witness whereof,
I have signed and sealed these presents, this 21 day of November 2003;

Timothy A. Snow Kalamazoo
COUNTY CLERK COUNTY
Debra C. Wren DEPUTY CLERK

*Certificate of Marriage

Between Mr. ANDREW MARK ANDERSON and M REBECCA MERRY OLSON

I hereby certify that, in accordance with the above license, the persons herein mentioned were joined in
marriage by me, in Kalamazoo, county of Kalamazoo, MICHIGAN,
CITY, VILLAGE, OR TOWNSHIP
on the 29th day of November A.D. 2003, in the presence of

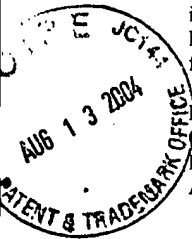
Sarah L. Plum Nathan L. McGinn
SIGNATURE OF WITNESS SIGNATURE OF WITNESS
Sarah L. Plum NATHAN L. MCGINN
NAME OF WITNESS (TYPE OR PRINT) NAME OF WITNESS (TYPE OR PRINT)
James Donald Hill James Donald Hill (Pastor)
SIGNATURE OF MAGISTRATE OR CLERGY NAME AND TITLE OF MAGISTRATE OR CLERGY (TYPE OR PRINT)
808 E. GULL LAKE DR. AUGUSTA MICHIGAN 49012
POST OFFICE ADDRESS OF MAGISTRATE OR CLERGY



M-142887
Page: 1 of 1
11/18/2003 03:41P

ISON... OLSON MR-Kalamazoo CLK

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P.O. Box 1450
Alexandria, VA 22313-1450

Richard J. Goldum
Attorney for Applicant

Date: 11 August 2004

Appl. No.: 09/893,389
Applicant(s): Keeth et al.
Filed: 28 June 2001
Title: 256 MEG DYNAMIC RANDOM ACCESS MEMORY

Art Unit: 2818
Examiner: Michael Thanh Tran

Docket No.: DB000575-014

TRANSMITTAL LETTER

To: Mail Stop Patent Ext.
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing please find the following:

- Application for Patent Term Adjustment Pursuant to 37 CFR §1.705;
- Copy of Notice of Allowance and Issue Fee(s) Due with Determination of Patent Term Adjustment under 35 U.S.C. 154(b);
- Copy of return receipt postcard for Response and Amendment filed 9 May 2002;
- Copy of Patent Application Information Retrieval (PAIR) system screen print-out;
- Copy of return receipt postcard for Resubmitted Response and Amendment filed 23 January 2004;
- Copy of return receipt postcard for Response and Amendment filed 12 July 2004;
- Fee Transmittal (Form PTO/SB/17); and
- Check in the amount of \$200 as the requisite fee



The Commissioner is hereby authorized to charge any underpayment or credit any overpayment to our Deposit Account No. 20-0888. A duplicate copy of this Transmittal letter is enclosed.

Respectfully submitted,

Richard J. Coldren

Richard J. Coldren
Reg. No. 44,084
Thorp Reed & Armstrong, LLP
One Oxford Centre
301 Grant Street, 14th Floor
Pittsburgh, PA 15219-1425
(412) 394-2442

Dated: 11 August 2004

Attorneys for Applicant